

MELINDA HAAG (CSBN 132712)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

ADAM A. REEVES (NYSB 2363877)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7157  
Facsimile: (415) 436-7234  
[Adam.Reeves@usdoj.gov](mailto:Adam.Reeves@usdoj.gov)

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
EMILE YOUSSEF JILWAN, )  
 )  
Defendant. )

Case No. CR 09 – 0417 EMC

STIPULATION AND  
[PROPOSED] ORDER

WHEREAS, on January 25, 2012, the United States and the defendant, Emile Youssef Jilwan, entered into a Deferred Prosecution Agreement whereby, as described in further detail therein, the defendant admitted and accepted responsibility for the conduct alleged in Count Thirty-Eight of the Indictment, charging him with obstruction in violation of 18 U.S.C. § 1505; promised to cooperate with the government's related cases; and promised to settle the forfeiture allegations charged by the United States and make all required payments pursuant to the defendant's settlement of a parallel civil enforcement action brought by the United States Securities and Exchange Commission. Pursuant to the Deferred Prosecution Agreement, and in reliance on the defendant's promises made therein, the United States deferred its prosecution of County Thirty-Eight; and dismissed the charges in Counts One and Thirty through Thirty-Six, as

1 to defendant Emile Jilwan only.

2 WHEREAS, the Court adjourned the matter until January 23, 2013 for status and found  
3 that the period of time from January 25, 2012 to January 23, 2013 was properly excluded in  
4 computing the time within which the trial of the offense alleged in the Indictment must  
5 commence pursuant to 18 U.S.C. § 3161(h)(2) because this was a period of delay during which  
6 prosecution would be deferred by the attorney for the government pursuant to a written  
7 agreement, in this case, the January 25, 2012 Deferred Prosecution Agreement, with approval  
8 from the Court, for the purpose of allowing the defendant to demonstrate his good conduct.

9 THEREFORE, it is hereby stipulated by and between the parties, through their respective  
10 counsel of record, that the period of time from January 25, 2012 to January 23, 2013 shall be  
11 excluded, pursuant to 18 U.S.C. § 3161(h)(2), in computing the time within which the trial of the  
12 offense alleged in the Indictment for defendant Emile Jilwan must commence under Title 18,  
13 United States Code, Section 3161.

14 DATED: February 8, 2012

MELINDA HAAG  
United States Attorney

15  
16 /s/

17  
18 Adam A. Reeves  
Assistant United States Attorney

19 /s/

20 DATED: February 8, 2012

21 William H. Green, Esq.  
Counsel for Emile Jilwan

22  
23 **IT IS SO ORDERED.**

24 DATED: 2/14/12

